IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.917 OF 1998

Bharat Bhailal Vaidya ...Petitioner.
Versus
The Union of India
and 2 Ors. ...Respondents.

....

Mr.Subhodh Joshi i/b. Pandit & Pandit, Advocate for the Petitioner.
Ms.S.I.Shah, Advocate for the Respondents.

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CORAM : **DR.S.RADHAKRISHNAN AND SMT.V.K.TAHILRAMANI,JJ.**

DATED : **NOVEMBER 08, 2006.**

P.C.:

. Heard learned counsel for the petitioner and learned counsel for respondent No.3-Mahanagar Telephone Nigam Ltd..

2. The issue involved in the above petition is with regard to excess billing as alleged by the petitioner. Ms.Shah, the learned counsel appearing on behalf of respondent No.3-M.T.N.L. fairly states that as per Section 7(B) of the Indian Telegraph Act, 1885, the Central Government has to appoint an Arbitrator for the purposes of

arbitrating the above dispute. Hence, Ms.Shah the learned counsel states that within a period of eight weeks from today the respondent No.1-Union of India will appoint an Arbitrator in the above matter to resolve the dispute with regard to the alleged excess billing. The learned Arbitrator while deciding the said dispute shall take into consideration the fact that the petitioner has deposited Rs.18,368/- in the above matter, which amount has been allowed to be withdrawn by respondent No.3-M.T.N.L.. The learned Arbitrator shall expeditiously dispose of the said dispute.

3. Rule is made absolute accordingly.

[DR.S.RADHAKRISHNAN,J.]

[SMT.V.K.TAHILRAMANI,J.]